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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,708	11/13/2001	Robert A. Jacobsen	APTI:062	9924
7:	590 10/30/2003		EXAM	INER
ROSSI & ASSOCIATES P.O. Box 826			ROGERS, DAVID A	
Ashburn, VA 20146-0826			ART UNIT	PAPER NUMBER
			2054	

DATE MAILED: 10/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
Advisory Action	10/007,708	JACOBSEN ET AL.				
Advisory Action	Examin r	Art Unit				
	David A. Rogers	2856				
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress			
THE REPLY FILED 25 September 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.						
PERIOD FOR REPLY [check either a) or b)]						
a) The period for reply expires <u>3</u> months from the mailing date of the final rejection.						
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.						
2. The proposed amendment(s) will not be entered be	ecause:					
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);						
(b) ☐ they raise the issue of new matter (see Note below);						
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or						
(d) they present additional claims without canceling a corresponding number of finally rejected claims.NOTE:						
3. Applicant's reply has overcome the following reject						
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	I be allowable if submitted in a s	separate, timely file	d amendment			
5. The a) affidavit, b) exhibit, or c) request for application in condition for allowance because:	or reconsideration has been con	sidered but does No	OT place the			
6. The affidavit or exhibit will NOT be considered be raised by the Examiner in the final rejection.	cause it is not directed SOLELY	to issues which we	ere newly			
7. For purposes of Appeal, the proposed amendmen explanation of how the new or amended claims w	t(s) a)⊡ will not be entered or t ould be rejected is provided bel	o) will be entered low or appended.	and an			
The status of the claim(s) is (or will be) as follows	:					
Claim(s) allowed:						
Claim(s) objected to:						
Claim(s) rejected:						
Claim(s) withdrawn from consideration:						
8. The proposed drawing correction filed on is	s a)□ approved or b)□ disap	proved by the Exar	miner.			
9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)						
10.⊠ Other: See Continuation Sheet						

Continuation of 10. Other: The applicant submitted an amendment after final via fax on 25 September 2003. This date was the last day for response to the final rejection mailed 25 March 2003. The amendment after final states "[t]he examiner has indicated claims 3 and 5 would be allowable if rewritten in independent form." This is not correct. The final office action rejected claims 1, 3, and 5 under 35 U.S.C. 103(a) over Shaw et al. in view of Sorenson. Claims 3 and 5 were also objected to as they depended upon claim 2, which was previously cancelled by the Applicant in paper #11. The amendment does not traverse any claim rejections, and the applicant has not provided any other documentation with regard to filing a Notice to Appeal or Request for Continued Examination as of 25 September

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